

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA**

John Baccus, #187393, <i>a/k/a John Roosevelt</i> <i>Baccus</i> ,)	
)	C/A No. 9:12-2440 DCN
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
Chris Florian; Jordan Moore; William P. Byars, Jr;)	
NC Merchant; NFN Davis; Larry Cartledge; NFN)	
Claytor; NFN Maudy; William K. Sutter; Nikki R.)	
Haley; Cheron M. Hess; Greenville County Sheriffs)	
Office, Civil Division; Paul B. Wickensimer,)	
Greenville Co. Clerk of Court; Gwendolyn O.)	
Chiles, Office of the Clerk; Judge William P.)	
Keesley; Steven M. Pruitt, SC Adm. Law Court;)	
Judge Philip Lenske; and Honorable R. Knox)	
Mahon,)	
)	
Defendants.)	
_____)	

The above referenced case is before this court upon the magistrate judge's recommendation that the complaint be dismissed without prejudice and without issuance and service of process.

This court is charged with conducting a de novo review of any portion of the magistrate judge's report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636(b)(1). However, absent prompt objection by a dissatisfied party, it appears that Congress did not intend for the district court to review the factual and legal conclusions of the magistrate judge. Thomas v Arn, 474 U.S. 140 (1985). Additionally, any party who fails to file timely, written objections to the magistrate judge's report pursuant to 28 U.S.C. § 636(b)(1)

waives the right to raise those objections at the appellate court level. United States v. Schronce, 727 F.2d 91 (4th Cir. 1984), cert. denied, 467 U.S. 1208 (1984).Objections were timely filed on October 16, 2012.

A de novo review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. Accordingly, the magistrate judge's report and recommendation is **AFFIRMED**, and the complaint is **DISMISSED** without prejudice and without issuance and service of process.

IT IS FURTHER ORDERED that plaintiff's motion for expedited proceedings is deemed **MOOT**.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'D. Norton', is written over a horizontal line.

David C. Norton
United States District Judge

October 17, 2012
Charleston, South Carolina

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified that any right to appeal this Order is governed by Rules 3 and 4 of the Federal Rules of Appellate Procedure.